KNIGHTON & STONE

PLLC Attorneys at Law

2202 Timberloch Place, Suite 250 The Woodlands, Texas 77380 Tel. (281) 681-3004 Fax. (281) 681-3007 www.knightonstone.com

February 5, 2024

FinCEN Corporate Transparency Act BOI Report Instructions

The information in this paper provides you with everything you need to know in order to comply with the Corporate Transparency Act. The Corporate Transparency Act is a new law that requires each entity to report its beneficial ownership information so that the government can collect even more information from you.

You will need:

- 1) Your Company Certification of Formation,
- 2) Precise name of any d/b/a or assumed name for your Company,
- 3) Your Company EIN,
- 4) Full name and address of each Beneficial Owner, and
- 5) Copy of each Beneficial Owner's U.S. Driver's License or U.S. Passport or foreign passport.

Step 1: Go to <u>https://boiefiling.fincen.gov/</u>

Step 2: Click on "Get Started" under "Beneficial Ownership Information (BOI) Reporting"

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FINANCIAL CRIMES ENFORCEMENT NETWORK

BOI E-FILING FILE BOIR HELP

Welcome to the BOI E-Filing System

The BOI E-Filing System supports the electronic filing of the Beneficial Ownership Information Report (BOIR) under the Corporate Transparency Act (CTA). The CTA requires certain types of U.S. and foreign entities to report beneficial ownership information to the Financial Crimes Enforcement Network (FinCEN), a bureau of the U.S. Department of the Treasury.



Coming soon ...

- Step 3: Select the filing method that works best for you:
 - A. Option 1: File PDF BOIR allows you to download a document that you can edit using Adobe Reader. Click "Prepare BOIR" to download the document.
 - a. After all required information is entered in the document, upload it by clicking "Submit BOIR."
 - b. Complete fields requiring your email and name, then attach PDF BOIR you are attempting to file.
 - B. Option 2: File Online BOIR allows you to file a report online and does not require Adobe Reader. See below for further instructions. We prefer Option 2.
 - C. Option 1 and Option 2 will ask you to enter the same information in the same order. See below for an explanation of all required items.

File the Beneficial Ownership Information Report (BOIR)

Select the filing method that works best for you:

PDF ±	 File PDF BOIR Adobe Reader is required Prepare report offline at your own pace, save as you go Reuse PDF BOIR when filing updates/corrections Download BOIR transcript upon submission
WEB	 File Online BOIR Adobe Reader NOT required Prepare report online and submit now Prepare new Online BOIR when filing updates corrections Download BOIR transcript upon submission

Step 4: Fill out required information. The page below is the first screen you will see if you select Option 2. This step consists of items 3-15, so read each item carefully.

A. Item 1. Type of filing – select initial report to file your first BOIR. The date prepared will automatically populate.

Filing Information	Reporting Company	Company Applicant(s)	Beneficial Owner(s)	Submit
Filing Information				
⑦ Need help?				~
 *1. Type of filing: a. Initial report b. Correct prior report c. Update prior report d. Newly exempt entity 				
Date prepared (auto-filled)				
01/04/2024				
Previous				Next

Step 5: Select the "Reporting Company" tab at the top of the page. Fill out required information under "Reporting Company" tab.

Filing Information	Reporting Company	Company Applicant(s)	Beneficial Owner(s)	Submit

A. Item 3. Request to receive FinCEN ID – this is optional; check this box to receive a unique FinCEN Identifier for the reporting company. The FinCEN Identifier will be provided in the submission confirmation details provided to the filer after the BOIR is accepted.

B. Item 4. Foreign pooled investment vehicle – check this box if the reporting company is a foreign pooled investment vehicle required to report information. If this box is selected, the company need only report one beneficial owner who exercises substantial control over the entity. If more than one individual exercise substantial control over the entity, the entity shall report information with respect to the individual who has the greatest authority over the strategic management of the entity. The report should not include any information about company applicants.

Part I. Reporting Company Information

0) Need help?	~
	3. Request to receive FinCEN ID	
	4. Foreign pooled investment vehicle	
C.	Item 5. Reporting Company legal name – enter your company's legal name as recorded	d or

- C. Item 5. Reporting Company legal name enter your company's legal name as recorded on the articles of incorporation or other documents creating or registering the entity.
- D. Item 6. Alternate name enter any of the reporting company's trade names, "doing business as" or DBA names, or "trading as" or T/A names. If the reporting company has multiple alternate names, click on the "Add Alternate Name" button to add them. Do not include the acronyms DBA or AKA with the alternate name.

Legal name and alternate name(s)	
⑦ Need help?	~
*5. Reporting Company legal name	
6. Alternate name (e.g. trade name, DBA)	
Add Alternate Name	

- E. Item 7. Tax Identification type Select "EIN" if the reporting company has a U.S. Employer Identification Number (EIN). Select "SSN-ITIN" if the reporting company utilizes a U.S. Social Security Number (SSN) or Individual Taxpayer Identification Number (ITIN) as a tax identification number. Select "Foreign" if the reporting company has a tax identification number issued by a foreign jurisdiction and does not have a U.S. tax identification number.
- F. Item 8. Tax Identification Number Enter the tax identification number for the reporting company.
- G. Item 9 is only applicable if the identification type in Item 7 is "Foreign."

Form of identification		
⑦ Need help?		~
*7. Tax Identification type		
Select an ID type	\sim	
*8. Tax Identification number		
9. Country/Jurisdiction (if foreign tax ID only)		
Select a country	~	

H. Item 10a. Country/Jurisdiction of formation. Enter the country/jurisdiction of formation. If United States is selected, then enter information for Item 10b. Item 10c and 10d should be unavailable after you input the state of formation in 10b.

Jurisdiction of formation or first registration			
⑦ Need help?			~
*10. a. Country/Jurisdiction of formation			
United States of America	$\times \mid \checkmark$		
Domestic Reporting Company			
b. State of formation			
Texas	$\times \mid \mathbf{v}$		
c. Tribal jurisdiction of formation		d. Name of the other Tribe	
Select a local/tribal	~		

Item 11-15. Enter the reporting company's complete current street address information, including city, state, zip code, and select in Item 13 whether the address is in the U.S. or a specific U.S. Territory. If the reporting company has a principal place of business in the U.S. or U.S. Territory, the street address should be that of the principal place of business. Otherwise, the street address should be the primary location in the U.S. or U.S. Territory where the reporting company conducts business. If a U.S. Territory is selected in Item 13, then Item 14 is automatically populated with the relevant U.S. Territory.

Current U.S. address			
⑦ Need help?			*
*11. Address (number, street, and apt. or suite	e no.)	*12. City	
*13. U.S. or U.S. Territory Select a country	*14. State Select a state	*15. ZIP c	ode

Step 6: Select the "Company Applicant(s)" tab at the top of the web page.

	Filing Information	Reporting Company	Company Applicant(s)	Beneficial Owner(s)	Submit
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A. Item 16. Existing Reporting Company – check this box if the reporting company was created or registered before January 1, 2024. Do not check this box if the reporting company was created or registered on or after January 1, 2024. Reporting companies that check this box are not required to report any company applicants and may proceed to Part III (Beneficial Owners Information).

⑦ Need help?	~
16. Existing reporting company (check if existing reporting company as of January 1, 2024)	

B. Skip Item 17.

17. (This item is reserved for future use)

- C. Note: company applicant information is entered on Item 18 through 33 of the BOIR. Company applicants are individuals who directly files or is primarily responsible for the filing of the document that creates or registers the entity; no companies or legal entities may be reported as company applicants. Reporting companies may provide FinCEN Identifiers for company applicants. You can have up to two company applicants. If needed, click "Add Company Applicant" to input data for a second company applicant.
- D. Item 18. FinCEN ID enter as a single text string. If you don't have a company applicant's FinCEN ID, proceed to Item 19 through 33.

Part II. Company Applicant Information	Add Company Applicant
⑦ Need help?	~
Company Applicant #1	^
Company applicant FinCEN ID	
⑦ Need help?	~
18. FinCEN ID	

E. Item 19 through 23. Enter the company applicant's legal name and date of birth.

Legal name and date of birth

⑦ Need help?				~
*19. Individual's last name		*20. First name		
21. Middle name	22. Suffix		*23. Date of birth	
			MM/DD/YYYY	

F. Item 24 through 29. Current Address - select between business address and residential address, and enter full address.

Current address	
⑦ Need help?	~
*24. Address type O Business Address Residential Address	
*25. Address (number, street, and apt. or suite no.)	*26. City
*27. Country/Jurisdiction *28. State Select a country Select a state	*29. ZIP/Foreign postal code

- G. Item 30. Identifying document type select the company applicant's identifying document type from the list of acceptable documents: a non-expired State-issued driver's license, a non-expired State/local/Tribe-issued identification document issued for the purpose of identifying the individual, a non-expired U.S. passport, or, only if the company applicant does not have one of these identifying documents, a non-expired foreign passport.
- H. Item 31. Identifying document number enter identifying document number from the company applicant's identifying document.
- I. Item 32. Identifying document issuing jurisdiction enter the country and state or local/tribal government that issued the company applicant's identifying document.
- J. Item 33. Identifying document image drag a file or click "choose from folder" to upload a clear, readable image of the page or side of the identifying document referenced in Item 31 containing the unique identifying number and other identifying data.

Form of identification and issuing jurisdiction	
⑦ Need help?	~
*30. Identifying document type	*31. Identifying document number
Select an ID type	
*32. Identifying document issuing jurisdiction	
a. Country/Jurisdiction	b. State
United States of America X V	Texas X V
c. Local/Tribal	d. Other local/Tribal description
Select a local/tribal	
*33. Identifying document image	
Drag file here or <u>choose from folder</u>	

Step 7: Select "Beneficial Owner Information" tab at the top of the web page.



- A. Beneficial owner information is entered in Items 35 through 51. Reporting companies may also report a FinCEN Identifier for a beneficial owner instead of this information. Use "Add Beneficial Owner" key at the top right corner to add beneficial owners. There is no limit on the number of beneficial owners that may be reported. Note that a beneficial owner is an individual who controls 25% or more ownership interest in the reporting company or an individual who exercises substantial control over the entity.
- B. Item 35. Parent/Guardian information instead of minor child if the beneficial owner for the reporting company is a minor child, you may check this box and complete Part III with information about a parent or legal guardian of the minor child.
- C. Item 36. FinCEN ID Reporting companies may provide a FinCEN Identifier for a beneficial owner instead of Items 37 through 51. Enter the FinCEN ID as a single text string. If a FinCEN ID for the beneficial owner is not provided, information about the beneficial owner must be provided in fields 37 through 51. We recommend that you obtain a FinCEN ID if you have more than one entity.

35. Parent/Guardian information instead of minor child (check if the Beneficial Owner is a minor child and the parent/guardian information is provided instead)

Beneficial Owner FinCEN ID

⑦ Need help?

36. FinCEN ID

D. Item 37. Exempt entity – check this box if the beneficial owner holds its ownership interest in the reporting company exclusively through one or more exempt entities, and the name of that exempt entity or entities are being reported in lieu of the beneficial owner's information. If checked, provide the legal name of the exempt entity in Item 38. You most likely do not own your entity through an exempt entity, which include entities such as banks and charitable organizations.

Exempt entity		
⑦ Need help?		~
37. Exempt entity		
E. Item 38 through 42. I and date of birth.	Legal name and date of	`birth – enter the beneficial owner's legal name
Legal name and date of bi	rth	
⑦ Need help?		*
*38. Individual's last name or en	tity's legal name	*39. First name
40. Middle name	41. Suffix	*42. Date of birth MM/DD/YYYY

F. Item 43 through 47. Residential address – enter the beneficial owner's residential address information, including city, country, state, and zip code.

Residential address			
⑦ Need help?			~
*43. Address (number, street, and apt.	or suite no.)	*44. City	
*45. Country/Jurisdiction	*46. State	*47. ZIP/Foreign postal code	
Select a country	Select a state		

- G. Item 48. Identifying document type select the beneficial owner's identifying document type from the list of acceptable documents: a non-expired State-issued driver's license, a non-expired State/local/Tribe-issued identification document issued for the purpose of identifying the individual, a non-expired U.S. passport, or, only if the company applicant does not have one of these identifying documents, a non-expired foreign passport.
- H. Item 49. Identifying document number enter identifying document number from the beneficial owner's identifying document.
- I. Item 50. Identifying document issuing jurisdiction enter the country and state or local/tribal government that issued the beneficial owner's identifying document.
- J. Item 51. Identifying document image drag a file or click "choose from folder" to upload a clear, readable image of the page or side of the identifying document referenced in Item 49 containing the unique identifying number and other identifying data.

Form of identification and issuing jurisdictio	n		
⑦ Need help?			~
*48. Identifying document type		*49. Identifying document number	
Select an ID type	\sim		
*50. Identifying document issuing jurisdiction			
a. Country/Jurisdiction		b. State	
Select a country/jurisdiction	\sim	Select a state	~
c. Local/Tribal		d. Other local/Tribal description	
Select a local/tribal	\sim		
*51. Identifying document image			
Drag file here or <u>choose from folder</u>			

Step 8: Select the "Submit" tab at the top of the web page.

Filing Information	Reporting Company	Company Applicant(s)	Beneficial Owner(s)	Submit
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- A. Fill out required fields including email and name.
- B. Certify that you are authorized to file BOIR on behalf of the reporting company and that the information you have provided is true, correct, and complete.
- C. Click "Submit BOIR."

Complete all fields below before submitting. Directly after submission, a processing page will be displayed, followed by a page confirming the status of your report. This confirmation page will also give you an opportunity to download a transcript of your report.

*Email

I

*Confirm Email

*First Name

*Last Name

*I certify that I am authorized to file this BOIR on behalf of the reporting company. I further certify, on behalf of the reporting company, that the information contained in this BOIR is true, correct, and complete.

] I agree

FinCEN Identifier Instructions for Individuals

A "FinCEN ID" is a unique, 12-digit identifying number that is issued to an individual or entity by FinCEN. FinCEN IDs are not required, however, an individual's FinCEN ID can be reported in lieu of the otherwise required name, date of birth, address, identification, and photocopy of identification on BOI reports. Therefore, individuals may opt to create a FinCEN ID to make it easier to provide reporting companies information for the reporting company's BOI reports. To obtain a FinCEN Identifier, create an account via this government website: https://login.gov/create-an-account/.

COGIN.GOV		
Sign in	Create an account	
Create an accour	nt for new users	
Enter your email address		
Select your email language p Login.gov allows you to receive English, Spanish or French.	reference e your email communication in	
• English (default)		
🔿 Español		
O Français		
I read and accept the Login	.gov <u>Rules of Use</u> 🗷	
Submit		

Step One: Enter your existing email address. You will receive an email from Log In to verify your account. Click on the link in the email to verify account.



Step Two: Create a password for your FinCEN account. You will be required to add two-step verification methods, such as receiving a code by text or email.

Step Three: After signing into login.gov, access the FinCEN ID application here: <u>https://fincenid.fincen.gov</u>.



FinCEN Identifier (FinCEN ID) Application

OMB No. 1506-0076

Filers must provide information in EVERY field marked with the * symbol in ALL CIRCUMSTANCES. Filers must also provide information in all fields not marked with the * symbol that are applicable to the filer. For example, the "Middle Name" field is not marked with a * symbol; the filer MUST provide information in that field IF the relevant individual's legal name includes a middle name. Notwithstanding any other instruction, individuals must provide all information required pursuant to 31 CFR 1010.380(b).

Step Four: Enter your full legal name and date of birth.

Full legal name and date of birth			
⑦ Need help?			
* First name	Middle name	* Last name	
Suffix	* Date of birth mm/dd/yyyy		

Step Five: Choose your address type (either residential or business), and enter the street address information, including the city, county or jurisdiction, State, and ZIP code or foreign postal code. The "State" box will automatically populate after a U.S. territory is selected in the "Country/Jurisdiction."

* City

Step Six: Enter the form of identification (State issued driver's license, State/local/Tribeissued ID, U.S. passport, or foreign passport). Enter the identifying document number and select the issuing jurisdiction.

Form of identification and issuing jurisdiction				
⑦ Need help?				
* Identifying document typ State-issued driver's lie	e cense 🔘 State/local/Tribe	e-issued ID	O U.S. passport	O Foreign passport
* Identifying docume	* Country/Jurisdiction	* State	~	

Step Seven: Upload a photocopy of said identification in the form of a JPG/JPEG, PNG, or PDF file.

* Identifying document image Accepted file types: JPG/JPEG, PNG, and PDF
Drag file here or <u>choose from folder</u>

Step Eight: Certify that the information furnished is true, correct, and complete.

Cer	tifi	cat	ion

* I certify that the information furnished is true, correct, and complete.

COMPLIANCE REMINDER: The willful provision of false or fradulent beneficial ownership information to FinCEN may result in civil or criminal penalties.

O I agree

Submit

Step Nine: Upon successful submission, your FinCEN ID is available on the final submission page. You may download your submission receipt to save your FinCEN ID. Otherwise, you can log onto fincenid.fincen.gov to view your FinCEN ID at any time.

Penalties for Noncompliance

The willful failure to report complete beneficial ownership information to FinCEN, the willful failure to update beneficial ownership information provided to FinCEN when previously reported information changes, or the willful provision of false or fraudulent beneficial ownership information to FinCEN, may result in civil or criminal penalties. A person may also be subject to civil or criminal penalties for willfully causing a reporting company to report incomplete or false beneficial ownership information to FinCEN.

Civil penalties include \$500 per day for each day that a reporting company is not in compliance, up to a maximum of \$10,000. Criminal penalties include fines of up to \$10,000 and imprisonment for up to two years.

Any changes to information reported in the initial report must be reported in an amendment within 30 days of the change.